



Oakland County Friend of the Court

JOSEPH G. SALAMONE
FRIEND OF THE COURT

TELEPHONE (248) 858-0424

230 ELIZABETH LK RD
PONTIAC MI 48341-1011
MAILING ADDRESS: PO BOX 436012
PONTIAC MI 48343-6012

KATHLEEN A. COX
CHIEF ASSISTANT

FAX (248) 858-0461

May 14, 2003

HONORABLE MAURA D CORRIGAN
MICHIGAN SUPREME COURT
3034 W GRAND BLVD NO 8-500
DETROIT MI 48202

RE: CHILD SUPPORT FORMULA MANUAL

Dear Chief Justice Corrigan:

I recently learned that the Supreme Court has invited comments from those parties utilizing the child support formula. As a Friend of the Court Referee, I am sincerely concerned about the difficulties I believe will be forthcoming should the 2003 version of the Formula be implemented.

There are several areas which I am particularly worried will be problematic for the Friend of the Court and the parties we serve.

The Shared Economic Responsibility Formula at § 3.05 requires that each parent must annually care for the children a minimum of 52 overnights per year. This is virtually every divorce case. Moreover, § 3.06 directs that the child support obligation may be adjusted if a significant difference in overnight parenting time occurs. A significant difference in overnights must exceed 21 overnights. Practically speaking, the Friend of the Court will be required to discern the accuracy of overnight periods and then set hearings or make frequent recommendations in child support Orders.

The 52 overnight threshold may foster less cooperation between parents. Custodial parents face the likelihood that their child support will be "adjusted" when trying to oblige the other parent with additional parenting time or schedule a special event.

The section dealing with reimbursement for medical expenses is just too complex for the parties to understand or use. The Formula requires detailed records and receipts which for many of the people we serve is not manageable, if a year later they want to come forward for reimbursement of extraordinary medical expenses they may be unable to

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provide receipts. Utilizing a set percentage is a workable solution for a party to recover any medical expense. Sec 3.08 (4) (c) requires an accounting of the annual ordinary health care expense. The Friend of the Court offices will be inundated with accounting and proof issues which are currently solved with the use of percentages for individual bills and treatment. The Supreme Court did away with the threshold requirement of \$156.00 annually per child in the 1996 Child Support Guideline Manual. Why return to a cumbersome and less viable treatment of medical support?

Please reconsider the implementation of the 2003 Formula.

Respectfully,

A handwritten signature in cursive script, reading "Michelle S. Barry".

MICHELLE S. BARRY
OAKLAND COUNTY
FRIEND OF THE COURT REFEREE

MSB/bsm